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February 14, 2011

VIA MESSENGER

Kim Collins
 Office of General Counsel
 Federal Election Commission
 999 F. Street N.W.
 Washington, D.C. 20463

Re: MUR 6445

Dear Ms. Collins:

I write as counsel to the Democratic Senatorial Campaign Committee and John B. Poersch, Jr., Treasurer, (collectively, the "DSCC") in response to a complaint filed with the Federal Election Commission ("FEC" or "Commission") by Jeff Larson on December 20, 2010 (the "Complaint").

The Complaint alleges that the DSCC accepted a contribution from a "foreign national" in violation of 2 U.S.C. § 441e. However, the contributor in question, Edward John Izzard, is not a "foreign national." It is our understanding that Mr. Izzard is a "lawfully-admitted permanent resident," he has a "green card," and is thus permitted to make contributions to the DSCC under 2 U.S.C. § 441a(b)(2).¹ Additionally, when the DSCC accepted the contribution in question, there were no facts that would lead a reasonable person to conclude or inquire whether Mr. Izzard was a foreign national under 11 C.F.R. § 110.20(a). As Mr. Larson acknowledges in a follow-up letter to the FEC, the Complaint should thus be immediately dismissed. The Commission should find no reason to believe that the DSCC violated the Act.

¹ Published reports confirm that Mr. Izzard has a "green card." See, e.g., Rachel F. Stassen-Berger, "FEC complaint filed against Franken committee," *Minneapolis Star-Tribune* (Dec. 16, 2010) available at http://www.startribune.com/politics/blogs/112033274.html?elr=KArks:DCilJcc7PaP3F77K_0c::D3aDhUiajcyKUnciacc8O7EylJr.

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Very truly yours,

Marc E. Elias by Graham M. Wilson

Marc Erik Elias
Counsel to the Democratic Senatorial Campaign Committee

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